

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

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APR 21 2011

U.S. DISTRICT COURT
MID. DIST. TENN.

Jeffery T. Wilmoth,

Prison ID # 08162029

Prison ID # —

Prison ID # —

Plaintiff(s)

[LIST THE NAMES OF ALL
PLAINTIFFS FILING THIS
LAWSUIT; DO NOT USE
"ET AL"]

vs.

CIVIL ACTION NO.:

2:11cv46

Jonathan Whittaker,

Logan Allen

Defendant(s)

[LIST THE NAMES OF ALL
DEFENDANTS AGAINST
WHOM YOU ARE FILING
THIS LAWSUIT; DO NOT
USE "ET AL"]

IF YOU NEED MORE SPACE TO LIST OTHER PLAINTIFF AND/OR
DEFENDANTS, SO INDICATE AND ATTACH A SEPARATE SHEET OF PAPER.

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
UNDER 42 U.S.C. § 1983

I. PREVIOUS LAWSUITS

- A. Have you or any of the other plaintiffs listed above filed any other lawsuits in the United States District Court for the Middle District of Tennessee and/or any other state or federal court?

Yes _____ No ✓

- B. If you answered YES to Question A, list the following information:
[If you have filed more than one lawsuit, list the additional lawsuits on another sheet of paper, using the same outline as below.]

1. Parties to previous lawsuit:

Plaintiffs: N/A

N/A

Defendants: N/A

N/A

2. In what Court did you file the previous lawsuit?

N/A
(If Federal Court, name the District; if State Court, name the county.)

3. Case Number of the previous lawsuit: N/A

4. Name of the Judge to whom the case was assigned:
N/A

5. When did you file the previous lawsuit?

N/A (Indicate the year if you do not know the exact month or day.)

6. What was the disposition or result of the previous lawsuit? (for example, was it dismissed, appealed, or still pending?)

N/A

7. When was the previous lawsuit decided by the Court?

N/A (Indicate the year if you do not know the exact month or day.)

8. Did the previous lawsuit involve the same facts or circumstances that you are alleging in the lawsuit you are now submitting?

Yes _____ No ✓

II. PLACE OF PLAINTIFF(S) CURRENT CONFINEMENT:

A. Name the prison or jail in which you are currently incarcerated:

044 JACKSON COUNTY JAIL

B. Are the facts of your lawsuit related to your confinement in your present prison or jail?

Yes ✓ No _____

C. If you answered NO to Question B, list the name and address of the jail or prison to which the facts of your lawsuit relate:

D. Do the facts of your lawsuit relate to your confinement in a Tennessee State prison?

Yes _____ No ✓

E. If you answered YES to Question D, did you present these facts to the prison authorities through the state prisoner grievance procedure?

Yes _____ No ✓

F. If you answered YES to Question E:

1. What steps did you take: N/A

2. What was the result: _____

G. If you answered NO to Question E, explain why not:

BECAUSE I TALKED TO THE JAIL ADMINISTRATION
AND she gave me the proper paperwork to file

III. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

1. Name of First Plaintiff: Jeffery T Wilmoth

Prison ID Number of First Plaintiff: 00162029

Address of First Plaintiff: 418 HARMONY RD GAINESBORO, TN 38562

THE JACKSON COUNTY JAIL - P.O. Box 275 GAINESBORO, TN 38562
(Include name of institution and mailing address)

2. Name of Second Plaintiff: —

Prison ID Number of Second Plaintiff: —

Address of Second Plaintiff: —

—
(Include name of institution and mailing address)

3. Name of Third Plaintiff: —

Prison ID Number of Third Plaintiff: —

Address of Third Plaintiff: —

—
(Include name of institution and mailing address)

IF THERE ARE MORE THAN THREE PLAINTIFF, LIST THEIR NAMES, PRISON IDENTIFICATION NUMBERS AND ADDRESSES BELOW OR ON AN ATTACHED SHEET OF PAPER.

B. Defendants Against Whom You Are Filing This Lawsuit:

1. Name of First Defendant: JONATHAN WHITTAKER - C.O.

Place of Employment of First Defendant: SACKSON County

JAIL - GAINESBORO, TN 38562

Address of First Defendant: _____

2. Name of Second Defendant: Logan Allen - CPL

Place of Employment of Second Defendant: JACKSON County

JAIL - GAINESBORO, TN 38562

Address of Second Defendant: _____

3. Name of Third Defendant: _____

Place of Employment of Third Defendant: _____

Address of Third Defendant: _____

Named in official capacity? ✓ YES NO

Named in individual capacity? ✓ YES NO

IF YOU ARE BRINGING THIS LAWSUIT AGAINST MORE THAN THREE DEFENDANTS, YOU MUST LIST EACH DEFENDANT'S NAME, PLACE OF EMPLOYMENT, AND ADDRESS BELOW OR ON AN ATTACHED SHEET OF PAPER.

IF YOU DO NOT LIST EACH DEFENDANT'S NAME, ANY SUCH DEFENDANT WILL NOT BE INCLUDED IN YOUR LAWSUIT; IF YOU DO NOT LIST EACH DEFENDANT'S NAME, PLACE OF EMPLOYMENT AND ADDRESS, THE CLERK WILL NOT BE ABLE TO SERVE ANY SUCH DEFENDANT.

IV. STATEMENT OF YOUR CLAIM

State as briefly as possible the facts of your case. Recite the dates when any incidents or events occurred, and the places where such incidents or events took place. Describe how each defendant is involved. Also include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set each claim forth in a separate paragraph:

ON 4-13-2011 AT 8:00 P.M. I WAS BROUGHT IN BY T.H.P.
AT THIS TIME WHEN I WAS SHACKLED TO THE
BENCH IN BOOKING WERE C.O. WHITTAKER AND SHIFT
LEADER CPL. ALLEN PLACED ME IN CUFFS WHILE I
WAS STILL ATTACHED TO THE BENCH AND USED PHYSICAL
FORCE WHERE I WAS SLAMMED FACE FIRST INTO A
METAL PHONE I WASN'T RESISTING THEN AT THIS TIME
I WAS PUNCHED SEVERAL TIMES IN MY RIGHT
SIDE OF MY FACE BY C.O. WHITTAKER WHILE I
WAS HELD AGAINST THE WALL, HANDCUFFED AND SPIT
ON THREE INMATES SAW THE INCIDENT, ONE INMATE
GREG GREGORY CORBIN SPOKE TO THE J.A. AND
WROTE HER A STATEMENT, PICTURES WERE TAKEN.

IF YOU NEED ADDITIONAL SPACE, ATTACH A SEPARATE SHEETS OF PAPER

V. RELIEF REQUESTED: List what you want the Court to do; list what relief you seek against each defendant:

- A. C.O. Jonathan Whittaker - Termination of employment - \$5,000
bodily harm
- B. Cpl. Logan Allen - Demotion of shift leader - \$5,000
bodily harm
- C. _____
- D. _____
- E. _____

I (we) hereby certify under penalty of perjury that the above complaint is true to the best of my (our) information, knowledge and belief.

Signed this 16th day of April, 20 11.

Signature: Jeffrey Wilmoth

Prison ID Number: 00162029

Address: 418 Harmony Rd

GAINESBORO, TN 38562
(Include city, state and zip code)

Signature: _____

Prison ID Number: _____

Address: _____

(Include city, state and zip code)

Signature: _____

Prison ID Number: _____

Address: _____

(Include city, state and zip code)

ALL PLAINTIFFS MUST SIGN THE COMPLAINT. If there are more than three plaintiffs, attach additional signatures with prison identification numbers and addresses.